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 5

6 Attorney for plaintiff JERMAINE MONTIEL

7  
 8 **IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN JOSE DIVISION**  
 11

12 JERMAINE MONTIEL,

*Plaintiff,*

13 v.

14 OFFICER M. WILLIAMS, BADGE NO. 3751,  
 individually and in his capacity as a San Jose police  
 15 officer; SERGEANT C. SHEPPARD, BADGE  
 NO. 3125, individually and in his capacity as a  
 16 San Jose police officer and supervisor; OFFICER  
 HERNANDEZ, BADGE NO. 3898, individually  
 17 and in his capacity as a San Jose police officer;  
 OFFICER RODRIGUEZ, BADGE NO. 3087,  
 18 individually and in his capacity as a San Jose police  
 officer; JOHN DOE and RICHARD ROE,  
 19 individually and in their capacities as San Jose  
 police officers, the true names and exact numbers  
 20 of whom are unknown at this time; ROBERT  
 DAVIS, individually and in his capacity as Chief  
 21 of Police for the City of San Jose; CITY OF SAN  
 JOSE, a municipal corporation,

*Defendants.*

No. C 07 05490 CB

STIPULATION AND  
~~PROPOSED~~ ORDER  
 AMENDING SCHEDULING  
 ORDER.

22  
 23  
 24 **IT IS HEREBY STIPULATED** by and between the parties hereto through their respective  
 25 attorneys of record that having met and conferred that the final pretrial conference and trial dates  
 26 in this matter be amended as follows:  
 27

28 Stipulation and [Proposed] Order Amending Scheduling Order

Page 1

Law Offices of Anthony Boskovich 28 North First Street, 6<sup>th</sup> Floor, San Jose, CA 95113 (408) 286-5150

1 Final Pretrial Conference: 2 August 2012 at 2:30 P.M.

2 Jury Trial: 6 August 2012 at ~~8:30~~ <sup>8:30</sup> A.M. and thereafter.

3  
4 All other dates to remain unchanged.

5  
6 The grounds for this stipulation and order are that plaintiff's counsel has two significant  
7 personal events that make trial preparation and trial itself impracticable. Plaintiff's counsel has a  
8 planned vacation from 14 June to 19 June 2012 to attend a college graduation in San Diego,  
9 California. Additionally, plaintiff's counsel's daughter is getting married on 30 June 2012, and there  
10 will be all of the necessary preparations and likely last minute disasters that will need to be attended  
11 to. Upon meeting and conferring, and upon checking counsel's respective calendars, the above date  
12 works for all parties.

13  
14 Dated: 20 January 2012

**BOSKOVICH & APPLETON**

15 /s/Anthony Boskovich  
16 By: \_\_\_\_\_  
17 ANTHONY BOSKOVICH,  
Attorney for Plaintiff

18 Dated: 20 January 2012

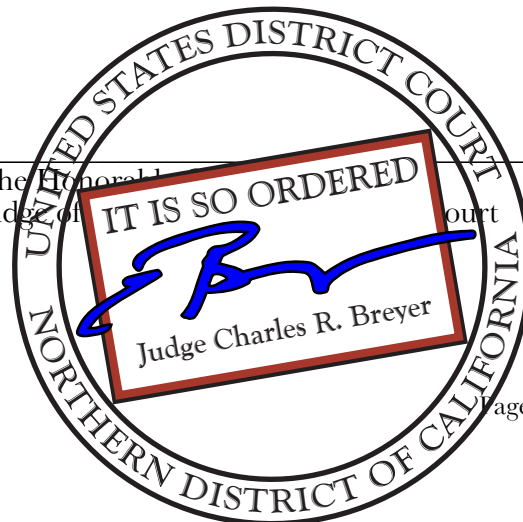
**OFFICE OF THE CITY ATTORNEY**

19 /s/ Richard North  
20 By: \_\_\_\_\_  
21 Richard North  
Attorney for Defendants

22 **It is so ordered:**

23  
24 Dated: January 24, 2012.

25 The Honorable  
26 Judge of



27  
28 Stipulation and [Proposed] Order Amending Scheduling Order